

AMENDMENT UNDER 37 C.F.R. § 1.111 Q61548
U.S. Application No. 09/709,467

REMARKS

Claims 1-11 have been examined and have been rejected under 35 U.S.C. § 102(b).

I. Objection to the specification

The Examiner has objected to the title of the invention as not being descriptive. The title has been amended to overcome the rejection. However, the title should not be used to construe the claims, and the claims should be defined based on their respective limitations.

II. Rejection under 35 U.S.C. § 102 over Japanese Patent No. 59-087676 to Koichi (“Koichi”)

The Examiner rejected claims 1-11 under 35 U.S.C. § 102(b) as being anticipated by Koichi.

A. Claim 1

Applicants have canceled claim 1 without prejudice or disclaimer, and thus, the rejection of claim 1 is moot.

B. Claims 2-4

Claims 2 and 3 have been amended to depend upon claim 5. Since claim 5 is patentable over Koichi for the reasons presented below, Applicants submit that claims 2-4 are patentable at least by virtue of their dependency.

C. Claim 5

As a preliminary matter, claim 5 has been rewritten in independent form to incorporate only the limitations of base claim 1. Accordingly, the scope of claim 5 has not changed.

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Furthermore, Applicants submit that claim 5 is patentable over Koichi. For example, claim 5 comprises a drive means that includes a link member. One end portion of the link member is rotatably hinged to a receiving module, and another end portion of the link member engages rotatably and slidably with a main chassis. In contrast, Koichi does not disclose or suggest the claimed link member.

On page 3 of the Office Action, the Examiner contends that the door 3, disk arm 22, and housing 24 shown in Fig. 4 of Koichi respectively correspond to the receiving module, link member, and main chassis recited in claim 5. Applicants respectfully submit that the Examiner is misinterpreting and/or misapplying the teachings of the reference.

For example, as shown in Fig. 4 of Koichi, the disk arm 22 is rotatably connected to the housing 24 via a pin 39 such that the arm 22 is only able to rotate in the directions A₁ and A₂. (See, e.g., English Constitution; line 4). Accordingly, the disk arm 22 cannot slidably engage the housing 24 and thus, does not suggest the claimed link member.

D. Claim 6

Since claim 6 depends upon claim 5, Applicants submit that claim 6 is patentable at least by virtue of its dependency.

E. Claim 7

Applicants submit that claim 7 is patentable over Koichi. For example, claim 7 states that a transfer means, which transfers a disk inserted into a slot, is a roller. The Examiner contends that the item 23 shown in Fig. 4 of Koichi discloses the claimed roller, but Applicants respectfully disagree.

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For example, the term “roller” is defined in *Webster’s New World Dictionary* (2d col. ed. 1980) as:

roll·er (rōl’är) *n.* 1. a person or thing that rolls (in various senses) 2. any of various rolling cylinders or wheels; specif., *a*) a cylinder of metal, wood, etc. over which something is rolled for easier movement *b*) a cylinder on which something is rolled up or wound [*the roller* of a shade, a hair *roller*] *c*) a heavy cylinder of metal, stone, etc. used to crush or smooth something *d*) a cylinder covered with a napped fabric, used for applying paint *e*) *Printing* a cylinder, usually of hard rubber, for spreading ink on the form just before the paper is impressed 3. a long bandage in a roll 4. a heavy, swelling wave that breaks on the shoreline 5. *Ornithology*. *a*) any of numerous old-world, tropical, bluish birds (family Coraciidae) that roll and tumble in flight and hop clumsily on the ground; esp., the **common roller** (*Coracias garrulus*) of Europe and Africa, similar to the jay *b*) a canary that rolls, or trills, its notes —**S YN**, see **WAVE**

As shown above, one of the definitions of “roller” is a “thing that rolls.” On the other hand, the protrusion 23 does not “roll,” but merely projects in and out of the hole 17a. Accordingly, Applicants submit that the protrusion 23 is not a “roller” as the Examiner alleges.

In fact, on page 3 of the Office Action, the Examiner uses quotations when he refers to the protrusion 23 as a roller. Such a reference to the protrusion 23 seems to imply that the Examiner is interpreting the meaning of the term “roller” loosely in his attempt to read the claimed roller on the protrusion 23.

In light of the discussion above, Applicants submit that claim 7 is patentable. Also, since claim 7 depends upon claim 5, Applicants submit that it is patentable at least by virtue of its dependency.

F. Claims 8 and 9

Since claims 8 and 9 depends upon claim 5, Applicants submit that they are patentable at least by virtue of their dependency.

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G. Claim 10

Since claim 10 contains features that are similar to the features recited in claim 7, Applicants submit that claim 10 is patentable for similar reasons.

H. Claim 11

As a preliminary matter, claim 11 has been rewritten in independent form to incorporate only the limitations of base claim 1. Accordingly, the scope of claim 11 has not changed.

Applicants submit that claim 11 is patentable over the Koichi. For example, claim 11 states that the detecting means (1) generates a detection signal when the disk arrives at a predetermined position and (2) generates an insertion detection signal when the disk is inserted into the slot. Also, the drive means moves the receiving module from the opened position to the closed position in response to the detection signal and (2) the transfer means transfers the disk in response to the insertion detection signal.

Since Koichi clearly does not suggest both the claimed detection signal and the claimed insertion detection signal, Applicants submit that claim 11 is patentable.

III. Newly added claims

Applicants have added new claims 12-35 to provide more varied protection for the invention.

IV. Conclusion

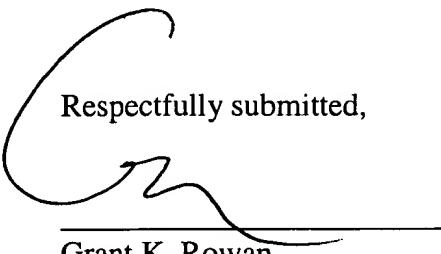
In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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